

Matthew B. Lehr (Bar No. 213139)
 Diem-Suong T. Nguyen (Bar No. 237557)
 David J. Lisson (Bar No. 250994)
 Chung G. Suh (Bar No. 244889)
 Jeremy Brodsky (Bar No. 257674)
 DAVIS POLK & WARDWELL LLP
 1600 El Camino Real
 Menlo Park, California 94025
 Telephone: (650) 752-2000
 Facsimile: (650) 752-2111

Attorneys for Plaintiff
 Tyco Healthcare Group LP d/b/a
 VNUS Medical Technologies

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

TYCO HEALTHCARE GROUP LP d/b/a
 VNUS MEDICAL TECHNOLOGIES,

 Plaintiff,

 v.

 BIOLITEC, INC., DORNIER MEDTECH
 AMERICA, INC., and NEW STAR LASERS,
 INC. d/b/a COOLTOUCH, INC.,

 Defendants.

LEAD CASE NO. C08-03129 MMC
 CASE NO. C08-03129 MMC

**[PROPOSED] ORDER GRANTING IN
 PART AND DENYING IN PART
 DEFENDANTS' MOTION AND TVS's
 MOTION FOR ADMINISTRATIVE
 RELIEF TO FILE DOCUMENTS
 UNDER SEAL (D.I. 224 and 232)**

[CIVIL L.R. 7-11, 79-5(d)]

TYCO HEALTHCARE GROUP LP d/b/a
 VNUS MEDICAL TECHNOLOGIES,

 Plaintiff,

 v.

 TOTAL VEIN SOLUTIONS, LLC d/b/a
 TOTAL VEIN SYSTEMS,

 Defendant.

CASE NO. C08-04234 MMC
 (consolidated with C08-03129 MMC)

Before the Court is the Defendants' Motion and TVS's Motion to File Documents Under Seal dated July 16, 2010 (D.I. 224 and 232), by which Defendants seek leave to file under seal unredacted versions of certain documents submitted in conjunction with their reply briefs in support of their Motion for Summary Judgment that the '084 Patent Claims are Obvious ("Defendants' § 103 Reply"), Motion for Summary Judgment that the Asserted '433 and '970 Claims are Invalid for Lack of Written Description ("Defendants' § 112 Reply"), and TVS's Motion for Summary Judgment of No Contributory Infringement (collectively, "Defendants' Reply Briefs"). Having reviewed the parties' submissions filed in support of the motions, the Court rules as follows:

1. The motions are GRANTED in part, specifically, as to the following documents that plaintiff has shown contain material properly filed under seal (see Kertz Decl., filed July 20, 2010), each of which the requesting party is directed to file under seal, no later than five calendar days from the date of this order. See General Order 62 ("If a motion to file under seal is granted in full or in part, the requesting party will e-file the document according the procedure outlined in the FAQs on the ECF website.").

- Exhibit 73 to the Declaration of Charles T. Steenburg in Support of Summary Judgment Reply Briefs Filed by biolitec, Inc. and Other Defendants, filed on July 16, 2010
- Redacted pages 1 (ln. 18) and 2 (lns. 12-16) of Defendants' § 112 Reply, filed on July 16, 2010
- Redacted page 6 (lns. 19-22, 27-29) of Defendants' § 103 Reply, filed on July 16, 2010.

2. The motions are DENIED in part, specifically, as to the following documents, in light of plaintiff's having withdrawn its prior designation of confidentiality, each of which the requesting party is directed to file in the public record no later than five calendar days from the date of this order.

- Exhibit FFF to the Declaration of John K. Buche in Support of the Reply to VNUS's Opposition to TVS's Motion for Summary Judgment of No Contributory Infringement, filed on July 16, 2010

- Designated portions of Defendants' Reply Briefs not identified above.

IT IS SO ORDERED.

Dated: July 28, 2010

/s/ Vaughn R Walker for
HON. MAXINE M. CHESNEY
United States District Judge